

EXHIBIT A

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Attorneys for Plaintiffs
Rearden LLC and Rearden Mova LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

REARDEN LLC, REARDEN MOVA LLC,
California limited liability companies,

Plaintiffs,

v.

THE WALT DISNEY COMPANY, a Delaware
corporation, WALT DISNEY MOTION
PICTURES GROUP, INC., a California
corporation, BUENA VISTA HOME
ENTERTAINMENT, INC. a California
corporation, MARVEL STUDIOS, LLC, a
Delaware limited liability company,
MANDEVILLE FILMS, INC., a California
corporation,

Defendants.

Case No. 3:17-cv-04006-JST

**AMENDED NOTICE OF
DEPOSITION OF THE WALT
DISNEY COMPANY PURSUANT TO
FED. R. CIV. P. 30(b)(6)**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT pursuant to Federal Rules of Civil Procedure 30(b)(6), Plaintiffs Rearden LLC and Rearden Mova LLC (“Plaintiffs”), by and through their undersigned counsel, will take the deposition of Defendant The Walt Disney Company (“Disney”) concerning the Matters for Examination noticed herein, commencing at the date, time, and place identified below, except as otherwise agreed in writing:

Date: June 19, 2019, commencing at 10:00 a.m.

Place: Hagens Berman Sobol Shapiro LLP, 301 North Lake Avenue, Suite 920, Pasadena, CA 91101.

The deposition shall be upon oral examination before one or more individuals authorized to administer an oath by the state in which the depositions are taken and will be recorded stenographically. The deposition may be recorded by videotape by a certified video reporter without further notice to any party; Plaintiffs reserve the right to use such videotape recording in opposition to any motion for summary judgment and at trial.

Pursuant to Federal Rule of Civil Procedure 30(b)(6), Disney is required to designate and produce for deposition one or more of its officers, directors, employees, or agents who consent to testify on its behalf as to the Matters for Examination, set forth below. Plaintiffs will examine each witness in his or her capacity as a representative designated by Disney regarding the matters described herein. Pursuant to Rule 30(b)(6), each witness should be knowledgeable on the matters for which they are designated by Disney and/or which are known or reasonably available to Disney on the subject matters identified below.

Disney is requested to promptly provide Plaintiffs’ counsel with a written identification of the name(s) and position(s) of each designee, and identification of the specific matter(s) to which each designee will testify.

DEFINITIONS

The following definitions of terms and rules of construction shall apply to each document request in which a defined term appears:

1. “DISNEY” as used herein means The Walt Disney Company and all past or present divisions and direct or indirect parents, subsidiaries, or affiliates of The Walt Disney Company, and all past or present joint ventures, partnerships, and limited partnerships of which any of the foregoing entities is or was a joint venture or a limited or general partner.
2. “DOCUMENT” as used herein means all documents and electronically stored information encompassed by Federal Rule of Civil Procedure Rule 34(a)(1)(A).
3. “ACCUSED FILMS” as used herein means the motion pictures entitled *Beauty and the Beast* (2017), *Avengers: Age of Ultron* (2015), and *Guardians of the Galaxy* (2014).
4. “DD3” as used herein means Digital Domain 3.0, Inc., Digital Domain Productions 3.0 (BC), Ltd., and all of their predecessors (regardless of whether any such predecessor used “Digital Domain” in its name), and any of their past or present parents, members, subsidiaries, divisions, or affiliates, and all past or present joint ventures, partnerships, and limited partnerships of which any of the foregoing entities is or was a joint venture or a limited or general partner.

MATTERS FOR EXAMINATION PURSUANT TO FED. R. CIV. P. 30(b)(6)

1. **DISNEY’s corporate organization and relationships to the extent related to the ACCUSED FILMS**, including but not limited to:

- a. Explanation of any chart(s) showing its corporate relationships produced by DISNEY pursuant to the Court’s May 7, 2019 Order;
- b. The names of all DISNEY-affiliated entities involved in the production, marketing and promotion, distribution, or profit sharing of the ACCUSED FILMS;
- c. The nature and involvement of each such entity and the function or functions that each such entity performed with respect to the pertinent ACCUSED FILM; and
- d. The nature of the corporate relationship between each such entity (e.g., wholly owned subsidiary, partially owned subsidiary, etc.);
- e. Each written contract or agreement to which such entity was a signatory.

2. DISNEY's storage for electronic mail, documents, and other media, including backup and archiving systems, including but not limited to:

- a. Any document retention and/or destruction policies or practices of DISNEY during the period 2013 to the present;
- b. Whether DISNEY maintains or contracts for the maintenance of one or more centralized repositories of its electronic media (including but not limited to email and other DOCUMENTS) on an organization-wide, departmental, divisional, or other basis, and if so a description of such repositories;
- c. DISNEY's policies or practices regarding maintenance or organization of electronic media (including but not limited to email and other DOCUMENTS) on an organization-wide basis or with respect to particular projects, films, divisions or departments;
- d. DISNEY's policies or practices regarding permitted use for business purposes of computers, tablets, and other devices capable of storing documents, including but not limited to email, media, and computer files, and any document retention and/or destruction policies applicable to such devices.;
- e. DISNEY's policies or practices regarding permitted use for business purposes of Internet-based services, including but not limited to gmail; Yahoo mail; Dropbox; Box; Google, Amazon, Microsoft cloud services; Microsoft Exchange; FTP sites; private and public social media sites, including but not limited to Facebook, Instagram, WhatsApp, SnapChat, YouTube and Vimeo that can store documents, including but not limited to email, media, and computer files, and any document retention and/or destruction policies related thereto;
- f. DISNEY's policies or practices regarding storage of documents, including but not limited to email, media, and computer files, by any third-party entity involved in the production of the ACCUSED FILMS, including but not limited to DD3, and any document retention and/or destruction policies related thereto; and

g. Any policies or practices of DISNEY with respect to the electronic media generated or received by film-specific production companies such as Chip Pictures, Inc., Extinction Productions Ltd., Infinity Productions LLC, and Assembled Productions II LLC (collectively, the SPECIFIED PRODUCTION COMPANIES), including but not limited to the current custodians of electronic media generated or received by the SPECIFIED PRODUCTION COMPANIES.

3. Identities of people who worked or work for DISNEY, including but not limited to any of the entities within the scope of Category No. 1, who are likely to have DOCUMENTS responsive to Plaintiffs' requests for production of documents.

DATED: June 14, 2019

HAGENS BERMAN SOBOL SHAPIRO LLP

By /s/ Philip Graves
Philip Graves

Philip Graves Philip Graves (CBA No. 153441)
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Attorneys for Plaintiffs
Rearden LLC and Rearden Mova LLC

CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2019, I served a true and correct copy of Plaintiffs' AMENDED NOTICE OF DEPOSITION OF THE WALT DISNEY COMPANY PURSUANT TO FED. R. CIV. P. 30(b)(6) via electronic mail on the following:

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DATED: June 14, 2019

/s/ Elizabeth Crooks
Elizabeth Crooks